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General Assembly

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Appointments to fill vacancies in subsidiary organs and other appointments: appointment of the three ad litem judges of the United Nations Dispute Tribunal

Report of the Internal Justice Council

I. Introduction

1. By its resolution 63/253, the General Assembly decided that three ad litem judges should be appointed to the United Nations Dispute Tribunal for a period of one year with effect from 1 July 2009.

2. In its decision 64/418 of 29 March 2010, the General Assembly decided to extend the tenure of the three ad litem judges, namely, Michael Adams, Jean-François Cousin and Nkemdilim Amelia Izuako, for one additional year beginning on 1 July 2010.

3. On 5 April 2010, Judge Michael Adams informed the President of the General Assembly that, for personal reasons, he would be unable to accept the extension of his appointment as ad litem judge of the United Nations Dispute Tribunal in New York. Accordingly, the Internal Justice Council, mandated by General Assembly resolution 62/228 (para. 37) to provide its views and recommendations to the General Assembly on two or three candidates for each judicial vacancy, met to consider how best to identify appropriate candidates for the position of ad litem judge in New York.

4. Due to the urgent need to appoint an ad litem judge to begin work on 1 July 2010, the Internal Justice Council determined that it would first consider those persons put forward in its report to the General Assembly for appointment as a judge on the United Nations Dispute Tribunal or United Nations Appeals Tribunal (A/63/489). All persons put forward but not ultimately selected, excepting those from countries currently represented on the United Nations Dispute Tribunal, were contacted by the Internal Justice Council to determine whether they would be willing to be considered as candidates for appointment as ad litem judge.

5. The Council herewith presents the names of two candidates for appointment as ad litem judge. The candidates are the only two from the list previously submitted to the General Assembly who are not from countries currently represented on the

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United Nations Dispute Tribunal and who are available for appointment as ad litem judge for one year from 1 July 2010. The two candidates were subjected to an examination and interview process in September 2008 and recommended for appointment as judges of the United Nations Appeals Tribunal, as described in the report of the Council (A/63/489).

6. The Council considers that, given the exigent circumstances and the need for the General Assembly to appoint the ad litem judge prior to 1 July 2010, it would not be desirable to delay the process by advertising for additional suitable candidates for the position. Accordingly, the Council based its recommendations for the position of ad litem judge on the candidates already identified in its report. Should the General Assembly require additional candidates to be identified, the Council will take the necessary steps to do so.

II. Profiles of recommended candidates

7. The two candidates recommended by the Council for appointment to the position of ad litem judge are listed alphabetically by last name. The curriculum vitae of each candidate is contained in the annex to the present report.

Marilyn Kaman (United States), born in 1947

8. Judge Kaman is currently serving as a judge for the fourth judicial district, Minnesota, United States of America, a position held since 1990. She has twice held the position of presiding judge of a division of the Court (1992-1994, 2007-2010). Judge Kaman has direct experience in a broad range of judicial matters, both civil and criminal in nature, including employment disputes of every kind. Judge Kaman was an international judge for the United Nations Interim Administration Mission in Kosovo (2002-2003). Judge Kaman is Chair of the Minnesota District Judges' Association, Civil Jury Committee (2000-present) and oversees civil jury instructions for 290 trial judges within the state of Minnesota. Judge Kaman has held appointments on the Minnesota Supreme Court (appeals panel under 253B.19 and Criminal Rules Committee). Judge Kaman has been a multiple office holder of national, state and local bar associations. Currently, she holds an appointment as representative of the American Bar Association (ABA) to the Economic and Social Council (since 2006), and is an officer of the ABA Section of International Law (2008-present) and co-Chair of its United Nations and International Institutions Coordinating Committee (2003-present). Judge Kaman has been an adjunct professor at the William Mitchell College of Law, St. Paul, Minnesota. She holds degrees from the University of Wisconsin (JD, 1978), the University of Chicago (MAT, 1971) and Vanderbilt University (BA, 1971). Her working language is English and she has a basic knowledge of French and Russian.

Virgilijus Valančius (Lithuania), born in 1963

9. Mr. Valančius is currently President of the Supreme Administrative Court of Lithuania (since 2002). Prior to that he was President of the Civil Cases Division of the Court of Appeal of Lithuania (1995-2002) and before that he served as a judge in the Vilnius First District Court from 1991 to 1994, including two years as its Vice-President. Mr. Valančius has had extensive experience with international organizations, particularly in Europe. He recently served as President of the

European Association of Judges (2006-2008) and is currently Vice-President of the International Association of Judges (since 2006). He holds law degrees from Vilnius University (LLM, 1986) and Mykolas Romeris University, Lithuania (PhD, 2000, and habilitation procedure, 2008). He has also been a Professor of the latter university since 2008. His first language is Lithuanian. He speaks English and Russian fluently, has a working knowledge of French and a basic knowledge of Polish and Ukrainian.

III. Conclusion

10. The Council would like to thank the United Nations Secretariat for the ongoing support that it has provided to the Council.

Signed by the members of the Internal Justice Council and submitted to the Secretary-General on 17 May 2010 for transmission to the General Assembly.

(*Signed*) Kate **O'Regan**

(*Signed*) Sinha **Basnayake**

(*Signed*) Jenny **Clift**

(*Signed*) Martha Helena **Lopez**

(*Signed*) Geoffrey **Robertson**

Annex

Curricula vitae

Marilyn Kaman (United States of America)

Date of birth: 28 December 1947

Present position: Judge, Fourth Judicial District, Hennepin County, Minnesota

Education

1988	Admission to the Bar, United States Supreme Court and United States Court of Appeals, Eighth Circuit
1982	Admission to the Bar, United States District Court (District of Minnesota)
1979	Admission to the Bar, Minnesota Supreme Court
1978	Juris Doctor, cum laude. University of Wisconsin Law School
1971	Master of Arts, Teaching, University of Chicago
1971	Russian language studies, Leningrad State University, Russia
1970	Bachelor of Arts, cum laude, Russian (major), French (minor)

Professional experience

2002-2003	International Judge, United Nations Interim Administration Mission in Kosovo. Investigate or adjudicate serious criminal cases, including cases of genocide, war crimes, organized crime, murder, terrorism, ethnically motivated offences and others
1990 to date	Judge, Fourth Judicial District, Hennepin County, Minnesota. Judicial assignments: Presiding Judge, probate and mental health courts (2007 to date); civil and criminal courts (2003-2007); family court division (2000-2002); civil and criminal courts (1994-2002); Presiding Judge, probate and mental health courts (1992-1994); criminal courts (1990-1992)
1998-2000	Adjunct Faculty: legal writing instructor, William Mitchell College of Law, St. Paul, Minnesota (also 1983-1984)
1984-1990	Staff attorney, Assistant Public Defender, Hennepin County, Minnesota. Practice concentrated on adults in complex felony matters and misdemeanours
1979-1983	Associate attorney, Dorsey and Whitney LLP, Minnesota. Municipal bond department

Other activities

American Bar Association, Section of International Law

- Editor (since 2008) and Deputy Editor (2003-2008) of *International Law News* (American Bar Association quarterly publication)

- Co-Chair, United Nations and International Institutions Coordinating Committee (2006 to date)
- Co-Chair, International Criminal Law Committee (2006-2008)
- Co-Chair, International Legal Exchange Program-Liberia Africa Task Force (2007-2008)
- Several publications in *International Law News*
- American Bar Association liaison to the Economic and Social Council (2006-2008)

Minnesota Supreme Court

- Appointee to the appeals panel for mentally ill and dangerous persons (1996 to date)
- Bar representative to the Minnesota Supreme Court Advisory Committee on Rules of Criminal Procedure (1999-2001)

Minnesota District Judges Association

- Chair, Civil Jury Instruction Guide Committee (2000 to date)
- Member, Board of Directors (2002 to date)

Languages

English (first language), basic knowledge of French and Russian

Virgilijus Valančius (Lithuania)

Date of birth: 12 June 1963

Present position: President of the Supreme Administrative Court of Lithuania

Education

2008	Habilitation procedure (law), Mykolas Romeris University, Lithuania
2000	PhD (Law), Mykolas Romeris University
1986	LLM, Vilnius University, Lithuania

Professional experience

Judicial and legal

2002 to date	President, Supreme Administrative Court of Lithuania
1995-2002	President, Civil Cases Division, Court of Appeal of Lithuania
1999 to date	Member, High Council of the Judiciary of Lithuania
1997-1998	Member of the Board, Committee of Founders of the Lithuanian Judicial Training Centre
1995-1998	Member, examining board for lawyers, Lithuania
1994-1998	Member of the Board, Council of the Lithuanian Lawyers' Association
1991-1994	Judge (1991-1994) and Vice-President (1993-1994), Vilnius First District Court
1986-1990	Public Prosecutor, Vilnius City and Prosecutor General's Office

Academic

2008 to date	Professor of law, Mykolas Romeris University
	Previously, Associate Professor (2004-2008), Lecturer (1998-2004), and Head of the Department of Civil Procedure (2002-2006)
2000 to date	Visiting lecturer, American Bar Association/Central and Eastern European Law Initiative International School of Judges
1997-1998	Lecturer, Law School, Vilnius University
1997 to date	Lecturer, Lithuanian Judicial Training Centre

Other activities

2008 to date	Member, Board of Trustees of the Academy of European Law
2006-2008	Elected President of the European Association of Judges
2007	Member, Team of Experts of the Council of Europe on the functioning of the judiciary in Ukraine

2006 to date	Elected Vice-President, International Association of Judges
2003	Co-Reporter, evaluation of the independence of the judiciary in Lithuania towards accession to the European Union
1998 to date	Arbiter, Court of Conciliation and Arbitration, Organization for Security and Cooperation in Europe
1997-2006	Elected President, Association of Judges of Lithuania
1997-1999	Elected President, Baltic States Judges Association

Publications

- Six legal books and two studies (co-author)
- Over 30 publications in legal periodicals
- Over 40 presentations in various conferences

Languages

Lithuanian (first language), English and Russian (very good), French (good), and Polish and Ukrainian (basic)